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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Sherif Yacoub

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FORT COLLINS, CO 80527-2400

EXAMINER

JONES, DANELLE E

ART UNIT

PAPER NUMBER

2626

NOTIFICATION DATE

DELIVERY MODE

02/27/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/706,408	Applicant(s) YACOUB, SHERIF	
	Examiner Danelle E. Jones	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/19/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive. With respect claims 1, 6, and 23, Zuberec et al. discloses detecting an utterance, where the utterance is the path, and detecting it is the act of retrieving it. Additionally, retrieving a set of options from an identified path is discloses, where the decision is made based on a set of options that are present. Finally concatenating the paths is demonstrated by the ballooned grammar. Where the ballooned grammar is expanded based on the users utterance.

2. Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive. With respect to the rejection(s) of claim(s) 7 and 14 Zuberec et al., Figure 7, illustrates a process of determining a correct path by a decision tree. Also the message is found during this decision when the detection of the utterance takes place.

3. Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive. With respect to the rejection of claim 18, Zuberec et al., col. 10, lines 56-63, discloses there are changing grammars, thus the system does not describe all available paths, only the path pertaining to that particular grammar.

4. Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive. With respect to claims 3 and 25, Zuberec et al. discloses the limitations of claims 1 and 23. Although Catallo is directed towards assigning context in normal human interaction, it is capable of loading words based on context.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 4-24, 26-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Zuberec et al. US 6,298,324.

Regarding **claims 1 and 6**, Zuberec et al. discloses a processor-based method for producing a message during a speech recognition application (see col. 3, lines 49-51) comprising:

retrieving an identified path from a set of paths (see col. 9, lines 32-35);

retrieving an identified option from a set of options associated with the identified path (see col. 9, lines 57-64);

concatenating the identified path and the identified option to form a selection path (see col. 9, lines 64-67);

and producing a message associated with the selection path (see col. 9, lines 42-45).

Regarding **claim 2**, Zuberec et al. discloses the processor-based method of claim 1 wherein said identified path is retrieved without executing a general assistance command for describing to a user all available paths (see col. 9, lines 58-67).

Regarding **claim 4**, Zuberec et al. discloses the processor-based method of claim 1 additionally comprising continually monitoring the identified path to insure that the identified option is associated with the identified path (see col. 9, lines 60-67, where the identified path is monitored as the additional utterances are added to the ballooned grammar.

Regarding **claim 5**, Zuberec et al. discloses a message produced in accordance with the method of claim 1 (see col. 9, lines 42-45).

Regarding **claims 7 and 14**, Zuberec et al. discloses a speech recognition system comprising:
an application (see fig. 3, element 42, lines 46-47);
an assistance manager for forming a selection path (see fig. 7);
a vocabulary accessible by the application and the assistance manager and including a set of utterances applicable to the application (see fig. 3, element 44, col. 4, line 47);
and a speech recognition engine to recognize the utterances (see fig. 3, element 48, col. 4, lines 48).

Regarding **claims 8 and 15**, Zuberec et al. discloses the speech recognition system of claim 7 additionally comprising a converter (see fig. 3, element 49, col. 4, line 49).

Regarding **claim 9**, Zuberec et al. discloses the speech recognition system of claim 7 wherein said vocabulary additionally includes at least one hot key word (see col. 10, lines 56-63).

Regarding **claims 10 and 16**, Zuberec et al. discloses the speech recognition system of claim 7 additionally comprising a dialog manager (see fig. 7 and col. 8, lines 49-53, where fig. 7, controls the interaction with the system, hence managing the dialog).

Regarding **claims 11 and 17**, Zuberec et al. discloses the speech recognition system of claim 8 additionally comprising a dialog manager (see fig. 7 and col. 8, lines 49-53, where fig. 7, controls the interaction with the system, hence managing the dialog).

Regarding **claim 12**, Zuberec et al. discloses an operating system incorporating the speech recognition system of claim 7 (see col. 4, lines 37-40).

Regarding **claim 13**, Zuberec et al. discloses a computing device incorporating the speech recognition system of claim 7 (see col. 4, lines 37-40).

Regarding **claim 18**, Zuberec et al. discloses a processor-based method for providing assistance in a speech recognition application, comprising:

- creating a speech dialog for enabling a conversation to be conducted in a speech recognition application between a user and a speech recognition system (see col. 9, lines 19-26);
- providing support for an interrupt event during a conversation between a user and a speech recognition system (see col. 9, lines 49-50);
- creating a selection path (see col. 9, lines 60-67);
- creating a message for the selection path (see col. 9, lines 42-45);
- and interrupting a conversation between a user and a speech recognition system for providing assistance to the user (see col. 9, lines 49-50).

Regarding **claim 19**, Zuberec et al. discloses the processor-based method of claim 18 wherein said interrupt event comprises a hot key word (see col. 9, lines 19-26).

Regarding **claim 20**, Zuberec et al. discloses the processor-based method of claim 18 wherein said interrupting the conversation comprises interrupting the conversation with the interrupt event (see col. 9, lines 49-50).

Regarding **claim 21**, Zuberec et al. discloses the processor-based method of claim 19 wherein said interrupting the conversation comprises uttering the hot key word by the user (see col. 9, lines 19-26).

Regarding **claim 22**, Zuberec et al. discloses the processor-based method of claim 18 wherein said interrupting a conversation comprises activating an assistance manager (see col. 9, lines 49-54).

Regarding **claim 23**, Zuberec et al. discloses the processor-based method of claim 18 additionally comprising:
retrieving an identified path from a set of paths (see col. 9, lines 32-35);
retrieving an identified option from a set of options associated with the identified path (see col. 9, lines 57-64);
concatenating the identified path and the identified option to form a selection path (see col. 9, lines 64-67);
and producing a message associated with the selection path (see col. 9, lines 42-45).

Regarding **claim 24**, Zuberec et al. discloses the processor-based method of claim 23 wherein said identified path is retrieved without executing a general assistance command for describing to the user all available paths (see col. 9, lines 58-67).

Regarding **claim 26**, Zuberec et al. discloses the processor-based method of claim 18 wherein said interrupting a conversation comprises activating an assistance manager for finding the selection path and for producing the message for the selection path (see col. 9, lines 49-50).

Regarding **claim 27**, Zuberec et al. discloses the processor-based method of claim 19 wherein said interrupting the conversation comprises uttering by the user the hot key word along with a user-selective topic (see col. 9, lines 49-56)

Regarding **claim 28**, Zuberec et al. discloses the processor-based method of claim 27 wherein said user-selective topic is selected from a group of topics consisting of an active path and an option (see col. 9, lines 49-56).

Regarding **claim 29**, Zuberec et al. discloses the processor-based method of claim 28 wherein said selection path comprises said user-selective topic (see col. 9, lines 49-56).

Regarding **claim 30**, Zuberec et al. discloses the processor-based method of claim 28 wherein said selection path comprises said active path (see col. 9, lines 49-56).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zuberec et al. US 6,298,324 in view of Catallo et al. US 5,867,817.

Regarding **claim 3**, Zuberec et al. discloses the processor-based method of claim 1. Zuberec does not disclose wherein said identified path is retrieved without having described to a user any paths from the set of paths other than the identified path. However this feature is well known in the art as indicated by Catallo et al. Catallo et al. discloses a speech recognition manager that loads a list of words depending upon the context state (see col. 2, lines 29-31). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to make available certain words to increase speed and accuracy of the system.

Regarding **claim 25**, Zuberec et al. discloses the processor-based method of claim 23. Zuberec does not disclose wherein said identified path is retrieved without having described to a user any paths from the set of paths other than the identified path. However this feature is well known in the art as indicated by Catallo et al. Catallo et al. discloses a speech recognition manager that loads a list of words depending upon the context state (see col. 2, lines 29-31). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to make available certain words to increase speed and accuracy of the system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danelle E. Jones whose telephone number is 571-270-1241. The examiner can normally be reached on M-F 7:30am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJ
01/30/2008


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